

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FEB - 8 2005

FILED
CLERK'S OFFICE

DOCKET NO. 1629

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE NEURONTIN MARKETING AND SALES PRACTICES LITIGATION
(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-3)

On October 26, 2004, the Panel transferred 23 civil actions to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 12 additional actions have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Patti B. Saris.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Saris.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Massachusetts for the reasons stated in the order of October 26, 2004, 342 F.Supp.2d 1350 (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable Patti B. Saris.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

FEB 24 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SCHEDULE CTO-3 - TAG ALONG ACTIONS
DOCKET NO. 1629
IN RE NEURONTIN MARKETING AND SALES PRACTICES LITIGATION

DISTRICT DIV. C.A.#

COLORADO

CO 1 04-2690 Sean McMinn v. Pfizer, Inc., et al.

NEW JERSEY

~~NJ 2 05-95 Assurant Health, Inc., et al. v. Pfizer, Inc., et al.~~ Opposed 2/24/05

NEW YORK SOUTHERN

~~NYS 1 04-7960 Stephen Brodsky v. Pfizer, Inc., et al.~~ Opposed 2/23/05
~~NYS 1 04-7961 Dan Huffman, etc. v. Pfizer, Inc., et al.~~ Opposed 2/23/05
~~NYS 1 04-8464 Patti Paulsen, etc. v. Pfizer, Inc., et al.~~ Opposed 2/23/05
~~NYS 1 04-8719 Rosalia Sumait, et al. v. Pfizer, Inc., et al.~~ Opposed 2/23/05
~~NYS 1 04-8720 Monica Smith, etc. v. Pfizer, Inc., et al.~~ Opposed 2/23/05

NDISPO, STAYED

**U.S. District Court
 District of Colorado (Denver)
 CIVIL DOCKET FOR CASE #: 1:04-cv-02690-WYD-OES**

McMinn v. Pfizer, Inc. et al
 Assigned to: Judge Wiley Y. Daniel
 Referred to: Magistrate Judge O. Edward Schlatter
 Cause: 28:1332 Diversity-Product Liability

Date Filed: 12/29/2004
 Jury Demand: Plaintiff
 Nature of Suit: 365 Personal Inj. Prod.
 Liability
 Jurisdiction: Diversity

Plaintiff

Sean McMinn
*on behalf of himself and all others
 similarly situated*

represented by **Chad Patrick Hemmat**
 Anderson, Hemmat & Levine, L.L.C.
 1490 Lafayette Street
 #203
 Denver, CO 80218
 303-839-5000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Pfizer, Inc.

represented by **Craig Ruvel May**
 Wheeler Trigg Kennedy LLP
 United States District Court Box 19
 1801 California Street
 #3600
 Denver, CO 80202
 U.S.A
 303-292-2525
 Fax: 294-1879
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Warner Lambert Company

represented by **Craig Ruvel May**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/29/2004	1	COMPLAINT against Pfizer, Inc., Warner Lambert Company (Filing fee \$ 150 #256998.) , filed by Sean McMinn. Jury demand.(bpm,) (Entered: 12/29/2004)

		12/30/2004)
12/29/2004		Summons Issued as to Pfizer, Inc., Warner Lambert Company. (bpm,) (Entered: 12/30/2004)
01/03/2005	2	MEMORANDUM RETURNING CASE for reassignment by Judge Matsch. (bpm,) (Entered: 01/04/2005)
01/04/2005	3	LETTER REASSIGNING CASE. Case reassigned to Judge Wiley Y. Daniel for all further proceedings. Judge Richard P. Matsch is no longer assigned to case. (bpm,) (Entered: 01/04/2005)
01/11/2005	4	ORDER REFERRING CASE to Magistrate Judge O. Edward Schlatter (erv,) (Entered: 01/14/2005)
01/12/2005	5	SUMMONS Returned Executed by Sean McMinn. Pfizer, Inc. served on 1/6/2005, answer due 1/26/2005. (dlb,) (Entered: 01/18/2005)
01/12/2005	6	SUMMONS Returned Executed by Sean McMinn. Warner Lambert Company served on 1/6/2005, answer due 1/26/2005. (dlb,) (Entered: 01/18/2005)
01/18/2005	7	MINUTE ORDER : Scheduling Conference set for 4/6/2005 09:00 AM before Magistrate Judge O. Edward Schlatter, by Magistrate Judge O. Edward Schlatter on 1/18/05. (gms,) (Entered: 01/24/2005)
01/26/2005	8	NOTICE Regarding Pendency of Action Subject to Judicial Panel on MDL (MDL 1629 In Re Neurontin Marketing and Sales Practices Litigation) by Defendants, Pfizer, Inc., Warner Lambert Company. (lam,) (Entered: 02/01/2005)
01/26/2005	9	Stipulated MOTION for Extension of Time to File Answer or Otherwise Respond re [1] Complaint 30 days after the MDL Panel rules on the transfer or the court denies the motion to stay and MOTION to Stay Matter Pending Review by MDL Panel by Defendants Pfizer, Inc., Warner Lambert Company. (lam,) (Entered: 02/01/2005)
01/27/2005	10	MEMORANDUM referring to Magistrate Judge Schlatter : [9] MOTION for Extension of Time to File Answer re [1] Complaint, MOTION to Stay filed by Pfizer, Inc., Warner Lambert Company, by Judge Wiley Y. Daniel on 1/27/05. (gms,) (Entered: 02/02/2005)
01/31/2005	11	ORDER granting [9] Motion for Extension of Time to Answer for 30 days or until the Judicial Panel on Multidistrict Litigation rules on the transfer, granting [9] Motion to Stay this matter pending a determination by the judicial panel on multidistrict litigation whether this case should be transferred for consolidated pretrial proceedings. Signed by Magistrate Judge O. Edward Schlatter on 1/31/05. (erv,) (Entered: 02/04/2005)
02/14/2005	12	Copy of Letter from MDL Panel to Judge Saris, USDC Boston MA re: attached Conditional Transfer Order of this case into MDL 1629 In Re: Neurontin Marketing and Sales Practices Litigation. (lam,) (Entered: 02/18/2005)

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